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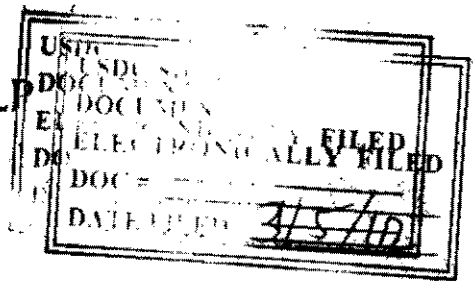
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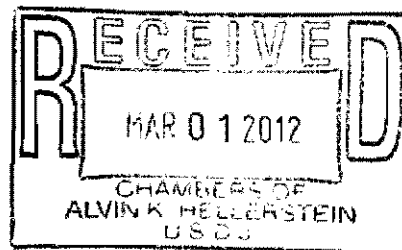
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February 29, 2012

The clerk shall accept the redacted versions for filing 3-5-12
Alvin K. Hellerstein

VIA HAND DELIVERY

The Hon. Alvin K. Hellerstein
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007-1312



21 MC 102 (AKH)
Dear Judge Hellerstein: 21 MC 103 (AKH)

Enclosed is a courtesy copy of defendants' reply submission in further support of their joint motion filed January 11, 2012, pursuant to Your Honor's order of December 22, 2011. The submission includes the following materials:

1. Reply Memorandum of Law with Schedules 4 through 7;
2. Response to Plaintiffs' Rule 56.1 Counter Statement of Undisputed Facts; and
3. Supplemental Declaration of Lee Ann Stevenson with Exhibits J through N.

Pursuant to the ordered briefing schedule, last night we served these materials on opposing counsel via e-mail and filed versions via the Southern District's ECF system.

Because they may include personal client information that could be considered confidential, certain of these materials were filed with redactions. Specifically, Schedules 4 through 7, which compile plaintiffs' recent interrogatory responses and affidavit claims, were redacted because these responses may include or involve medical-related information that could be considered confidential. For the same reasons, Exhibits M and N were redacted as were certain passages in filed copy of the reply memorandum (also included).

These measures were taken out of an abundance of caution. Certain plaintiff information—for example, the information in plaintiffs' opposing affidavits—has already been publically disclosed, but not in the summary fashion reflected on Schedules 4 through 7. Other information—for example, plaintiffs' amended TCDI interrogatory responses—has not been publically disclosed.

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Unfortunately, we have been unable to reach Mr. Lopalo, counsel for the plaintiffs, to discuss plaintiffs' position on whether this information should remain under seal. If plaintiffs decide that the sealed information can be released, or should not be considered confidential, then we can file an unredacted version of defendants' reply submission. In the interim, we respectfully request that Your Honor so order this letter, so that defendants can file the complete copies of the redacted materials under seal.

Respectfully,



Lee Ann Stevenson

LS /bb

Copy provided via e-mail:

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